

39/914091
518 Rec'd PCT/PTO 21 AUG 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

BERNARDUS H.W. HENDRIKS ET AL

NL000662

Filed: CONCURRENTLY

Title: OPTICAL ELEMENT

Commissioner for Patents, Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend Claim 9 to be in the form as follows. A marked up copy of the claims is included in an appendix following this amendment for the Examiners convenience.

9. An optical head for scanning an optical record carrier having an information layer, the head comprising a radiation source for generating a first radiation beam having a first wavelength and a second radiation beam having a second wavelength, and an objective system for converging the first radiation beam and the second radiation beam to a focus on the information layer, characterised in that the optical head comprises an optical element according to claim 1 for introducing a wavefront deviation in the second radiation beam.

REMARKS

The foregoing Preliminary Amendment to the claims was made solely to avoid filing the claims in the multiple dependant form so as to avoid the additional filing fee.

The claims were not amended in order to address issues of patentability and Applicants respectfully reserves all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserves their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Respectfully submitted,

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APPENDIX A

9. An optical head for scanning an optical record carrier having an information layer, the head comprising a radiation source for generating a first radiation beam having a first wavelength and a second radiation beam having a second wavelength, and an objective system for converging the first radiation beam and the second radiation beam to a focus on the information layer, characterised in that the optical head comprises an optical element according to ~~any of the previous Claims~~ claim 1 for introducing a wavefront deviation in the second radiation beam.